

July 27, 2010

**PINE PLAINS ZBA MINUTES  
JULY 27, 2010**

**IN ATTENDANCE:** Steve Patterson, Acting Chair  
Jane Waters  
Bruce Pecorella

**VIA TELEPHONE:** Scott Chase, Chair

**ABSENT:** Margo Jackson

**ALSO PRESENT:** Rosemary Lyons-Chase, Town Board Liaison

**MODO'S MOBILE HOME PARK:** Steve Patterson called the meeting to order in Scott Chase's absence. Chase attended via telephone. This is a preliminary discussion of an area variance application. Doug Weaver and Daniel Rothvoss represented the applicant. The applicant would like to place two 14 foot wide manufactured homes in the mobile home park where two 12 foot wide manufactured homes were previously. The current zoning law only permits 16 foot wide manufactured homes. Chase asked if there were any further information or questions that the Board had before a public hearing was scheduled. Waters asked what the water supply and septic situation was for the park. Rothvoss stated there is a well that supplies water to all of the mobile homes. Waters asked if the other three mobile homes were owned by Rothvoss. Weaver stated yes. Rothvoss stated that each mobile home has its own individual septic. Chase wanted to know how long the trailer park was there. Rothvoss stated approximately 1968. Chase stated his understanding of the request is that there was hardship as there were mobile homes already purchased which do not conform. Chase asked when the mobile homes were purchased and asked to see a Bill of Sale for same. Rothvoss stated he could probably show the Board the cancelled checks. Patterson asked if the other mobile homes were all 14 footers. Rothvoss stated no. He stated there is one 12 footer. Patterson asked if any were bigger than 14. Rothvoss stated no. Pecorella asked where the septic tanks were. Weaver stated they are all tanks and drywells. Pecorella asked if they would conform to today's standards. Weaver replied probably not. Pecorella asked if tanks and drywells were acceptable practice. Weaver stated yes. Patterson asked if the County had to be notified of this project. Waters stated yes. Chase stated that the ZBA notifies the County. Chase advised Proper to put the hearing date in so a timely reply would be received. Proper advised she would make the submission to the County the following day. Discussion was held on when to have a site visit of the property. It was decided to have the site visit on Tuesday,

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August 24 at 6:45pm. Waters asked how long the trailers had been gone. Rothvoss stated approximately 18 months. Rothvoss stated they had two permits to put the trailers in and Weaver did not get time to do it and the permits lapsed. Rothvoss stated he did not know that zoning had been enacted in Pine Plains or he would have been on the ball, gotten two new permits and taken care of it. Rothvoss stated the ones that were there were 12 footers. Patterson asked when they paid for the two replacement trailers. Rothvoss stated he would have to find out. Chase stated that the Board is charged to see if there are cases where the zoning law just doesn't work and in this case it is kind of a self-created hardship because of not being on the ball. Rothvoss stated that he was on the ZBA for years and what he found out is that if the neighbors weren't upset they always gave the variance. Waters stated the problem is the zoning law says a minimum of 16 feet in width for a manufactured home and if an exception is made, they will be setting a precedent. Weaver stated this is the only mobile home park in Pine Plains. Short discussion followed. Chase asked for the applicant to furnish evidence of when the two mobile homes were purchased. A public hearing will be held on Tuesday, August 24 at 7:30 pm.

Waters made a motion to approve the minutes from June 22; second by Pecorella. All in favor. Motion carried.

Pecorella made a motion to adjourn at 7:50 pm; second by Waters. All in favor. Motion carried.

Respectfully submitted by:

Nancy E. Proper  
Secretary

Steve Patterson  
Acting Chair